



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, शुक्रवार, 2 मार्च, 2001/11 फाल्गुन, 1922

हिमाचल प्रदेश सरकार

[Authoritative English text of Notification No. HIM/TP/PJT/DP-MANALI/2000 Vol.-1 dated 24-1-2001, as required under clause (3) of Article 348 of the Constitution of India].

TOWN AND COUNTRY PLANNING DEPARTMENT

NOTIFICATION

Shimla-2, the 24th January, 2001

No. HIM/TP/PJT/DP-MANALI/2000-VOL-1.—In exercise of the powers conferred under section 87 of the Himachal Pradesh Town & Country Planning Act, 1977 (Act No. 12 of 1977), the Governor of Himachal Pradesh is pleased to notify the following regulations as an interim measure to regulate the constructions in Nagar Panchayat Area of Manali and surroundings forming part of Kullu-Valley Planning Area :

REGULATIONS

1.0 These regulations have been prepared in view of the existing structure/morphology of the town, its special tourist character, level of available infrastructure and environmental sustainability considerations and Ban Order of the Hon'ble High Court of Himachal Pradesh,

executive directions issued by the Government in view of security of the V. V. I. P. in and around Circuit House Complex, recently announced tourism policy by the Government as well as existing building bye-laws of the Nagar Panchayat, Manali.

1.1 The Nagar Panchayat Manali comprises of an area of about 350 hectares. The whole area for the purpose of formulation of these regulations has been divided into following five areas :

- 1.1.1 CORE AREA.
- 1.1.2 RESTRICTED AREA.
- 1.1.3 FOREST AREA.
- 1.1.4 RIVER FRONT AREA.
- 1.1.5 OTHER AREAS.

Apart from specified regulations for each area, certain general regulations are enlisted at the end under para 1.1.5 and are common for all areas/whole of the Nagar Panchayat area as well as surrounding areas with respect to the aspects, not specifically touched under concerned area regulations.

1.1.1 *Core Area.*—There shall be blanket ban on construction activity of any kind in the core area of Manali. The parcels of land lying vacant at the moment shall invariably be utilized to make provisions for parking or organised open spaces for out door recreational pursuits. However reconstruction on old line shall be allowed in the area with the prior approval of the Secretary (T. C. P) to the Government. The Core Area shall comprise of the following:—

Area bounded by the Mall and the Circuit House road on west, D. P. F. Dana Bihal limit on north, the river Beas on east and present main bus stand on the south and comprising of the Manu Market and Nagar Panchayat Office Complex.

1.1.2 *Restricted Area.*—In Restricted Area constituted by Government vide Notification No. PBW (B&R)(B) Dated 28-3-85 in view of the V. V. I. P. security in and around Circuit House Area, construction, for residential and allied pursuits upto two storeys only shall be permissible. The height of the individual storey shall not be less than 2.55 mtr. and more than 3.30 mtr. The Total height of building in no case shall exceed more than 9.00 mtr. No intermediate floor shall be permissible. The roof in this area shall be sloping. Every construction shall have provision of one parking floor with maximum height of 2.20 mtr. if constructed under ground or as basement without affecting the over all building height of two storeys above ground level shall be permissible in this area. Such a floor shall not be used for any other purpose except parking. Retention of cut hill side and abutting properties, if involved shall be the exclusive responsibility of the owner on down hill side. In no case cutting more than 3.00 mtr. shall be allowed. The Restricted Area shall comprise of the area delineated below:—

Bounded by Manalsu nullah on north, western boundary of D. P. F. Dana Bihal and following the Mall road and upto Nagar Panchayat at Manali limits in the south. Further on western side following Nagar Panchayat Manali limits and upto Dhungri nullah, there after, western limit of khasra number 1656, 1657, 1659, 1660, 1662, 1665, 1722 (Nala), 1719, (Nala) 1740 (Path), 1787, 1783, 1782, 1781, 1749, 1950, 1955, 1940, 1933, 1919 (Nala), 1888, 1890, and 1892,.

1.1.3 *Forest Area.*—All three patches of thick forests within Nagar Panchayat Area namely Dhungri-R-1 (12.54 Hect.), R-2 (22.26 Hect) Dana Bihal R-3 (10.93 Hect.) and Van Vihar R-4 (24.68 Hect) falling within the purview of Forest Conservation Act, 1980, shall be preserved as such by the Forest Department and no development shall be permitted in these woodlands except laying of utility networks such as water supply, sewerage, electricity and communication

lines etc. However, infrastructural development for promotion of tourism shall be carried out by the Forest Department on its own within and as per permissible extent under the Forest Conservation Act, 1980.

1.1.4 River Front Area.—This area is demarcated to comply with the essence of the ban order of the Hon'ble High Court and subsequent report of the 'Expert Group' adopted by said Court. The area is as under:—

- (i) The land below the H. F. L. shall be treated as 'river land' and no construction activities of any kind except erosion checking measures shall be allowed in this belt.
- (ii) Beyond the H.F.L. a belt of 25 Mtrs, width along river Beas shall be developed exclusively as a "Green Zone" by the Department of Forest. No construction development other than one related to soil conservation, afforestation, land scaping for tourism and public utilities such as line of movement, water pump houses, sewerage treatment plants, solid waste management plants shall be allowed in this zone.

1.1.5 Other Areas.—The areas of Nagar Panchayat Manali not covered under above four areas and the areas falling out side Nagar Panchayat Manali, limits on either banks of river Beas shall fall in this category. Almost all such pockets have already been partly built and accommodate mixed land uses such as residential, tourism and salves:—

GENERAL REGULATIONS

- (i) **Hotel Building.**—Permission for Hotel shall be granted only on a vehicular road with minimum width of 5 mtrs. The minimum plot size for a hotel shall be 1000 square mtr. with maximum ground coverage as 45%. The minimum set back shall be 7.00 mtrs. in front and 4.00 mtrs. on all other sides. Number of storeys shall be restricted to three with a total height of 9.50 metres excluding parking floor of 2.20 meters. The owner of the hotel shall have to keep one floor exclusively for parking at road level @ of one parking space measuring 20 sqm. for every two beds. Height of parking floor should not exceed 2.20 mtrs. This parking floor shall be in addition to the normal two storeys as permissible. Such floor created for parking shall not be used for habitable or storage purpose 50% of the open space on ground shall be allowed for open parking and the rest should be landscaped.
- (ii) Development permission shall be accorded for residential and allied uses such as convenient shopping, Kindergarten and Primary Schools, Health Centres and infrastructural facilities without involving further sub-division of existing plots existing at the time of application of these regulations.
- (iii) In case of re-development permission shall be accorded on existing lines and shall not amount to any addition.
- (iv) Every building in this areas shall have slopping roof, however, the owner may construct glass house or terrace garden subject to the condition that nothing shall be higher than the ridge of the roof.

SPECIFIC REGULATIONS FOR OTHER AREAS

Application for Permission. - After the boundaries of the land in question are marked, the applicant shall make an application addressed to the Director and such application shall be accompanied by :

- (a) a Tatima;
- (b) a copy of latest Zamabandi indicating ownership of the land accompanied by sale deed if any.

- (c) a copy of location plan, in the scale 1:1000 and four copies of site plan in the scale 1:200 showing access/road services, adjoining land use only duly signed by the owner ;
- (d) such other documents as the Director may call for.

THE REGULATIONS

1. *Coverage.*—Maximum permissible coverage of residential building in plots of different sizes shall be as under :

(a) On plots upto 90 sqm.	65 %
(b) On plots of 91 to 250 sqm.	60 %
(c) On plots of 251 to 500 sqm.	55 %
(d) On plots above 500 sqm.	50 %

2. *Set Backs.*—In case of detached houses minimum set backs on main road/path shall be 3.00 mtr. in front and 2.00 mtr. on other sides. In case of semi-detached houses the minimum set back in front shall be 3.00 mtr, on side 3.00 mtr. and on rear 2.00 mtr. Additional coverage of 1.00 mtr. width shall be permissible on side set back of 3.00 mtr. on first floor onward. Further, roof projection of 45 cm. shall be permissible. Garage measuring 3.00 mt. × 5.50 mt. shall be permissible on the rear.

3. *Row Houses set backs.*—Minimum set backs on main road/path in case of row houses shall be 3.00 mtr. on front and 2.00 metre on rear.

4. *Minimum buildable width.*—No construction shall be permitted on a piece of land left with buildable width less than 5 mtrs. after maintaining set backs with reference to the size of plot.

5. *Set backs for arterial roads.*—Front set back on arterial roads with right of way of 24 mtrs. and 18 mtrs. shall be 7.5 mtrs. and 5 mtr. respectively, set back on other roads shall be as given in clause 2 and 3 above.

6. *Set backs in case of public utility/services.* The set backs shall not be applicable to the services like petrol pump electric sub-station, road side infrastructures/ facilities such as rain shelter, landscaping, auto services etc. which are specifically permitted on the acquired width of the road by the Government in the case of the Government land or the local authority of the area in the case where land belongs to a local authority.

7. *Height of buildings.*—Minimum and maximum floor height for residential building shall be 2.25 mtrs. and 3.30 mtrs. respectively. No mezzanine floor shall be permissible. Total height of building in no case shall exceed more than 12.50 mtrs. excluding parking floor of 2.20 mtrs.

8. *Projection.*—Roof/slab projections and sun shades shall be allowed upto 45 cms. over set back on all sides.

9. *Storey.*—Maximum number of storeys shall be three including basement and attic. In addition, parking floor with maximum height of 2.20 mtr. shall have to be provided in case of plots abutting vehicular access. Columns below basement or ground floor shall not be exposed and shall be covered by retaining wall. Every building shall have slopping roof.

10. *Reconstruction of existing buildings.*—Regulation regarding reconstruction of house/ building shall be on existing building lines, provided road with minimum width of 3.00 mtrs.

is available. Roof projections/sun shades upto 23cms. shall be permitted over streets or paths as the case may be.

11. *Ecology not to be disturbed.*—(i) Change of land use or the development of land shall be made in such a manner that natural profile of the land is least disturbed.

(ii) In case cutting of plot is required the owner shall take measure to protect abutting properties by constructing retaining/breast walls. Cutting above 3.0 metres shall not be allowed.

(iii) Change in the use of land or the development of land shall be made in the manner so as to achieve maximum air, light and sun where it is needed most.

12. *Carving of Plots.*—(1) Orientation of the plots shall be provided in such a manner so as to be in conformity with the integration of existing plots/infrastructure, wind directions, natural flow of surface drainage to allow un-obstructed rain water discharge.

(2) Layout of plots shall be governed by easy access having acceptable grades minimum 1:16 and which may not obstruct view or vista.

(3) For group of plots exceeding 10 in number on one particular access, minimum vehicular access shall be of 5 mtrs. width. However 3 mtrs. minimum wide pedestrian links can be provided to smaller cluster of plots not exceeding 10 in number.

4. Plot Area :

(i) Minimum plot area for a detached house shall be 150 sq. mtrs.

(ii) Plot area for a semi-detached house shall be upto 250 sq. mtrs.

(iii) Plot area for row housing shall be upto 150 sq. mtrs. :

Provided that in exceptional circumstances for the benefit of economically weaker sections and where the site conditions permit to do so, the Director, may consider 60 sqm. minimum area of plot with two common walls.

(5) One common wall construction shall be allowed in plots upto 250 sq. mtr. and two common walls construction in plots upto 150 sq. mtr. subject to the conditions that maximum number of such plots does not exceed 8 in row, after which a gap of 7 metres shall be left.

13. *Green belt.*—All area possessing substantial green cover but not classified as 'Forest' whether in private ownership to be hence forth called as green belt :

(i) For the green belt, every effort shall be made to preserve and protect the character of green belt. No sub-division of land in this area shall be allowed for urban functions. Activities promoting afforestation, wild life, picnics and tourism shall be permissible in the green belt. Under tourism only activities shall be allowed whereby tented, temporary, small and make shift accommodations are proposed. Hill cutting for construction of approach road would not be allowed. Felling of trees shall not be allowed for any of the activities mentioned, above. Reconstruction of existing structures shall be restricted to two storeys only including basement and attic. Provided that no development/construction shall be allowed in the areas falling within the purview of Forest Conservation Act, 1980.

(ii) Hence forth no construction shall be allowed within a radius of 5.0 mtrs. from the green belt boundary and within a radius of 2.0 mtrs. from an existing tree. Distance shall be measured from the circumference of the tree.

By order,

— AVAY SHUKLA,
Financial Commr.-cum-Secretary.

